

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION No. 1829 of 2005

Between:

Pathuri Venkata Saibaba, s/o late Suri Babu,
r/o # 301, V.N.R.T owners, Rajender Nagar, 1st Lane,
Guntur, Guntur District.

..... PETITIONER

AND

1. The District Level Committee, rep., by its Chairman, Guntur District, Guntur.
2. The District Panchayat Officer, Guntur District, Guntur.
3. G.Hari Babu, s/o G.Venkatappaiah,
r/o Kothapalem Village, Machavaram Mandal, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or writ one in the nature of Writ of Mandamus declaring the action of the District Level Committee in not notifying the reach No.13, Near Amaravathi and Dharanikota Villages for public auction and extending the lease period for quarrying sand in reach No.13, Near Amaravathi and Dharanikota Village in Roc.No.3660/2003-G2(R-13), dt.22-09-2004 in favour of the 3rd respondent and not cancelling the same on the basis of the report submitted by the Regional Vigilance & Enforcement Department as illegal, arbitrary and unjust.

Counsel for the Petitioner: Smt. N.SHOBA

Counsel for Respondent Nos.1 & 2: GP FOR PANCHAYAT RAJ

AND RURAL DEVELOPMENT.

Counsel for Respondent No.3: None appeared.

The Court made the following :

ORAL ORDER:

(per Honourable Sri Devinder Gupta, the Chief Justice)

When the Writ Petition was taken up for hearing, learned counsel for Respondents 1 and 2 stated that only 12 days extension was granted in the lease period on the expiry of the period from 28.1.2005, and, yesterday, a notification has been issued for auctioning the reach in question. He states that respondents would take appropriate steps in auctioning the lease and will not make any further extension.

In view of the statement of the learned counsel for the respondents 1 and 2, nothing survives in the Writ Petition and the same is accordingly dismissed. No costs.

DEVINDER GUPTA, C.J.

7.2.2005.

M.NARAYANA REDDY, J.

VR.

To

1. The Chairman, District Level Committee, Guntur District, Guntur.
2. The District Panchayat Officer, Guntur District, Guntur.
3. Two CCs to the Government Pleader for Panchayat Raj & Rural Development, High Court Buildings, Hyderabad (OUT).
4. Two CD copies.